

Message Text

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ORIGIN EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00
DODE-00 DOTE-00 INR-07 NSAE-00 EPG-02 FAA-00 SS-15
NSC-05 L-03 /054 R

DRAFTED BY EB/OA/AVP:SCKEITER:SP
APPROVED BY EB/OA:RABROWN, ACTING
EB/OA/AVP:AJWHITE
EUR/WE:BMCKINLEY
DOT/OST:LERICSON
DOT/OST/TGC:PLARSEN (INFO)
FAA/AIA:RTOENNIESSEN
COMM/BIEPR:EGRAUMAN (INFO)
CAB/BIA:GCAOLO
EB/AN:WRILEY

-----069730 241031Z /21

R 232331Z JUN 77
FM SECSTATE WASHDC
TO AMEMBASSY ROME

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E.O. 11652: N/A

TAGS: EAIR, IT, US

SUBJECT: CIVAIR - DISCRIMINATION AT ROME AIRPORTS

REF: A) ROME 9569 AND B) 9057

1.DEPARTMENT CONCURS THAT FORMAL NOTE IS DESIRABLE. SUGGEST
SOMEWHAT ALTERED TEXT, AS FOLLOWS:

(FIRST PARAGRAPH PER REF. B.)

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THE UNITED STATES GOVERNMENT CONSIDERS, HOWEVER, THAT THE
OTHER DISCRIMINATION ISSUES RAISED IN THE EMBASSY'S NOTE
NO. 271 OF MAY 21, 1976, REMAIN OUTSTANDING.

FIRST, THE MINISTRY'S NOTE 079/04865 MERELY STATES THAT THE
PROHIBITION ON USE OF FIUMICINO AIRPORT TO UNITED STATES
CHARTER FLIGHTS IS NOT DISCRIMINATION THAT VIOLATES THE

BILATERAL AIR TRANSPORT SERVICES AGREEMENT. VIOLATION OF THE BILATERAL IS NOT THE ISSUE, AND THE FACT THAT IT CANNOT BE INVOKED DOES NOT MEAN THAT THE UNITED STATES CANNOT ACT TO REDRESS THE BALANCE. THE UNITED STATES GOVERNMENT WOULD THEREFORE APPRECIATE A PROMPT RESPONSE AS TO WHETHER AND/OR WHEN THE ITALIAN AUTHORITIES INTEND TO REMOVE OR

RECTIFY THIS SOURCE OF DISCRIMINATION.

SECOND, ALITALIA RETAINS CONTROL OVER ITS GROUND HANDLING SERVICES WHILE SOCIETA AEROPORTI DI ROMA DENIES UNITED STATES AIRLINES THE OPPORTUNITY TO DO LIKEWISE. THUS, DISCRIMINATION EXISTS. THE FACT THAT SUCH RETENTION IS AN ISSUE PENDING BEFORE AN ADMINISTRATIVE COURT DOES NOT REMOVE THE DISCRIMINATION. INDEED, THERE ARE INDICATIONS THAT THE RECENT APPLICATION OF WAREHOUSE AND PORTERAGE FEES AT FIUMICINO AIRPORT HAVE HEIGHTENED IT. THAT BEING THE CASE, UNITED STATES AIRLINES HAVE SUFFERED FOR TWO YEARS AND CONTINUE TO SUFFER INJURY RESULTING FROM THIS SOURCE OF DISCRIMINATION, DESPITE THE PROVISIONS OF THE ITALIAN LAW CITED IN THE MINISTRY'S NOTE 079/04865.

THEREFORE THE UNITED STATES GOVERNMENT WOULD APPRECIATE A RESPONSE AS TO WHEN THE ADMINISTRATIVE COURT RELIABLY CAN BE EXPECTED TO REACH A DECISION IN THIS MATTER. IF THAT DATE IS MORE THAN TWO MONTHS HENCE, THE EMBASSY SUGGESTS THAT UNITED STATES AIRLINES BE PERMITTED ONCE LIMITED OFFICIAL USE

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MORE TO CONTROL THEIR OWN GROUND HANDLING, PENDING A FINAL DECISION ON ALITALIA'S STATUS. (COMPLIMENTARY CLOSE)

2. WOULD APPRECIATE EMBASSY'S FOLLOWING UP TO MAKE SURE ITALIAN RESPONSE ARRIVES MORE QUICKLY THAN TO OUR PREVIOUS NOTE.

3. WASHINGTON AGENCIES LOOK FORWARD TO RECEIVING RESULTS OF EMBASSY'S EFFORTS ACQUIRE ADDITIONAL INFORMATION REGARDING INCREASE IN GROUND HANDLING FEES AND ESTABLISHMENT OF PORTAGE AND WAREHOUSING FEES (PARA. 5, REF B.)

4. FAIR COMPETITIVE PRACTICES ACT POUCHED JUNE 1, 1977.
CHRISTOPHER

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DISCRIMINATION, TEXT, AIRPORTS, DIPLOMATIC NOTES, AMENDMENTS, DIPLOMATIC PROTESTS
Control Number: n/a
Copy: SINGLE
Sent Date: 23-Jun-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE147079
Document Source: CORE
Document Unique ID: 00
Drafter: SCKEITER:SP
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770226-0348
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770624/aaaaaunx.tel
Line Count: 109
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 22eace77-c288-dd11-92da-001cc4696bcc
Office: ORIGIN EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 ROME 9569
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 18-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2049554
Secure: OPEN
Status: NATIVE
Subject: CIVAIR - DISCRIMINATION AT ROME AIRPORTS
TAGS: EAIR, IT, US
To: ROME
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/22eace77-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009